

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Chris Somerville et al.	)	
Application No. 09/885,189	)	Group Art Unit: 1638
Filed: June 21, 2001	)	Examiner: Elizabeth McElwain
For: Production of Hydroxylated Fatty Acids In Genetically Modified Plants	) ) )	

Mail Stop Amendment

U.S. Patent and Trademark Office 2011 South Clark Place Customer Window Crystal Plaza Two, Lobby, Room 1B03 Arlington, VA 22202

## AMENDMENT AND RESPONSE TRANSMITTAL FORM

- 1. Transmitted herewith is an Amendment and Response Under 37 C.F.R. § 1.111 in response to the Non-final Office Action dated April 20, 2004.
- Additional Paper Submitted:
   (i) Broun et al., Plant J. 13(2):201-210 (1998).
- 3. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply. Applicants petition for a three-month extension of time from July 20, 2004 to October 20, 2004, the fee for which is **\$980.00** as set out in 37 C.F.R. § 1.17(a). The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. § 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
- 4. <u>Fee Calculation</u> (37 C.F.R. § 1.16):

CLAIMS A	AS AMENDED					
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	2	minus	41	0	\$18 each=	0.00
Independent Claims	1	minus	8	0	\$88 each=	0.00
First presentation of N	Iultiple depend	ent claim			\$300.00	0.00
SUB-TOTAL =						0.00
Reduction by ½ for filing by a small entity						0.00
TOTAL FEE =						

10/22/2004 AWONDAF1 00000053 500310 09885189

- 5. <u>Fee Payment</u>: The Commissioner is hereby authorized to charge <u>\$980.00</u> to Deposit Account No. 50-0310 for payment the three-month extension of time fee.
- 6. Constructive Petition: Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a constructive petition for extension of time in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: October 20, 2004 Morgan, Lewis & Bockius LLP Customer No. 09629 1111 Pennsylvania Avenue, N.W. Washington, D.C. 20004 202-739-3000 Respectfully submitted,
Morgan, Lewis & Bockius LLP

Suzanne **E**. Ziska Registration No. 43,371